

Notice of Allowability

Application No.

10/065,360

Examiner

Nelson D. Hernandez

Applicant(s)

OHMURA, AKIRA

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on June 25, 2007.
2. ☒ The allowed claim(s) is/are 1-3, 6-8 and 11-19 (Renumbered as 1-15).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/576,221.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 25, 2007 has been entered.

Response to Amendment

2. The Examiner acknowledges the amended claims filed on June 25, 2007. **Claims 1, 6 and 19** have been amended. **Claims 4, 5, 9 and 10** have been canceled.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mario A. Costantino on July 18, 2007.

The application has been amended as follows:

Claims 19. (Currently amended) A processor executable computer program product readable recording medium storing a program that includes instructions that when executed by a processor, causes the processor to perform a method comprising:

receiving a first command that will result in the transmission of digital images from a digital camera through a docking station, and to a predetermined folder in a storage medium;

waiting for a predetermined period for a second command that designates another folder in which the digital images are to be stored in the storage medium; and

executing the second command if the second command is received within the predetermined period, the first command being executed automatically to store the images in the predetermined folder if the predetermined period passes without receiving the second command.

Allowable Subject Matter

4. **Claims 1-3,6-8 and 11-19** (Renumbered as 1-15) are allowed.
5. The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest, including all the limitations of the present claim, that after receiving a first command that will result in the transmitted digital images being stored in a predetermined folder, the controller waits for a predetermined period for a second command that designates a different folder in which the digital images are to be stored, and executes the second command if the second command is received within the predetermined period, the controller automatically

executing the first command and storing the images in the predetermined folder if the predetermined period passes without receiving the second command.

Regarding claim 6 (Renumbered as claim 8), the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest, including all the limitations of the present claim, that after receiving a first command that will result in the transmitted digital images being stored in a predetermined folder, the controller waits for a predetermined period for a second command that designates a different folder in which the digital images are to be stored, and executes the second command if the second command is received within the predetermined period, the controller automatically executing the first command and storing the images in the predetermined folder if the predetermined period passes without receiving the second command.

Regarding claim 19 (Renumbered as claim 15), the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest, including all the limitations of the present claim, waiting for a predetermined period for a second command that designates another folder in which the digital images are to be stored in the storage medium; and executing the second command if the second command is received within the predetermined period, the first command being executed automatically to store the images in the predetermined folder if the predetermined period passes without receiving the second command

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 9:30 A.M. to 6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lin Ye can be reached on (571) 272-7372. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nelson D. Hernandez
Examiner
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NDHH
July 18, 2007